

REMARKS

This is intended as a full and complete response to the Final Office Action dated April 19, 2007, having an extended period for response set to expire on August 20, 2007. Applicants submit this response to place the application in condition for allowance or in better form for appeal. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-6, 8-20, 22-29 and 31-37 are pending in the application. Claims 18-20 remain pending following entry of this response. Claim 18 has been amended. Applicants submit that the claims, as amended, provide no new matter.

Specification Objections

The amendment filed February 23, 2007 is objected to under 35 U.S.C. 132(a) as introducing new matter. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. According to the Office Action, the added material which is not supported by the original disclosure is as follows:

Regarding claims 1, 8-9, 17-18, 23 and 31 recite "wherein the given state of the code is defined at least in part by an evaluation of a variable by a command which is separate from the code, the evaluation having been performed..."

Regarding claims 13-14, 28-29 and 32-33 recite, "the debug information comprises user commentary entered by the user as text using a text box." Applicants are required to cancel the new matter in the reply to this Office Action.

Applicants respectfully traverse this objection as follows.

Regarding previously presented claims 1, 8-9, 17-18, 23 and 31 the command which is separate from the code used to evaluate a variable is mentioned in paragraph [0042] (lines 3-4), paragraph [0043] (lines 1-2, and 4-6), and in paragraph [0054] (lines 3-10).

These cited portions describe an EVAL command that is issued by the user (via the debugger user interface) to evaluate a variable of interest. As the command is issued via the debugger, which is used to debug code, the command is clearly separate from the code being debugged.

Regarding claims 13-14, 28-29 and 32-33, the text box which is used by the user to input commentary is mentioned in paragraph [0048] (line 13) and paragraph [0060] (lines 7-8). Paragraph [0060] states “further, a free form text box **433** is provided for any additional comments.”

Accordingly, Applicants submit that all of the elements mentioned in the claims are supported in the specification and respectfully request withdrawal of the objections.

Claim Rejections - 35 U.S.C. § 101

The Examiner maintains rejections under 35 U.S.C. 101 to claims 18-27. Applicants have amended claim 18, as suggested in the Office Action, to recite “a computer readable storage device.” Claims 21-37 have been canceled.

Accordingly, Applicants submit that the claims as amended are allowable and respectfully request withdrawal of the rejection.

Claim Rejections - 35 U.S.C. § 112

Claims 1, 8-9, 13-14, 17-18, 23, 28-29, 31-33 and 36 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

However, as described above, Applicants submit that all of the elements mentioned in the claims are supported in the specification and respectfully request withdrawal of this rejection.

Claim Rejections - 35 U.S.C. § 102

Claims 1-21, and 23-37 are rejected under 35 U.S.C. 102(e) as being anticipated by *Bates et al.* (U.S. Patent No. 7,096,458, hereinafter, "*Bates*"). Claims 1-17 and 22-37 have been cancelled.

Claim 18 has been amended to incorporate limitations in previously presented claim 22. Thus, claim 18 is equivalent in scope to previously presented claim 22, which was rejected under 103, and is discussed below.

Statement of Common Ownership

The present application (Serial No. 10/769,231; hereinafter the "Application") and United States Patent No. 7,096,458, by *Bates et al.* (hereinafter, "*Bates*"), were, at the time the invention of the Application was made, owned by the same entity, or subject to an obligation of assignment to the same entity.

Claim Rejections - 35 U.S.C. § 103

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Bates* in view of *Novik et al.* (U.S. Patent No. 6,367,034, hereinafter, "*Novik*"). As mentioned above, claim 18 has been amended to incorporate limitations from previously presented claim 22, such that the arguments presented below.

As described in the above Statement of Common Ownership, the present Application and *Bates* were commonly assigned at the time the invention of the Application was made. Since the *Bates* patent qualifies as prior art only under 35 U.S.C. 102(e), this reference may not preclude patentability under 35 U.S.C. 103(c).

Accordingly, Applicants submit that claim 22, re-written in independent form as claim 18, as well as its dependents, are allowable and respectfully request withdrawal of this rejection.

Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

If the Examiner believes any issues remain that prevent this application from going to issue, the Examiner is strongly encouraged to contact Randol W. Read, attorney, at (713) 623-4844, to discuss strategies for moving prosecution forward toward allowance.

Respectfully submitted, and
S-signed pursuant to 37 CFR 1.4,

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